

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

JACKIE FISHER	§	
	§	
	§	
<i>Plaintiff,</i>	§	
	§	
vs.	§	CIVIL ACTION NO. 4:08-CV-01273
	§	
UNIVERSITY OF TEXAS	§	Jury Demanded
MEDICAL BRANCH and	§	
DAVID WATSON	§	
	§	
<i>Defendants.</i>	§	
	§	

**MOTION TO EXCLUDE**

1) Document which have highlighted/underlined or otherwise altered beyond what was in the original.

Fisher, 3, 4, 6, 7, 11, 27 (100432-100434), 28, 30, 34 (100188), 43, 44 (200523, 200524, and 200526), 48 (101132, 101133, 101134, 101135, 101136), 49, 77 (000125), 80, 93, (200180-200182), 69 (200144-200146, 200148, 200150, 200156, 200165, 200169, 200171.)

2) Hearsay and conclusory statements made by Jackie Fisher in her grievances.

Fisher 8 (100308, 310) , 14 (100306), 15 (100148), 18 (100229, 100292, 100293, 100294, 100295, 100296, 100298, 100299), 24 (100126, 100127).

3) Relevancy and Hearsay

Fisher 24 (100125, 100128, 100129, 100130, 1009131, 100139)  
25 (200344, 200345, 200346, 200353, 200354, 200354, 200344)  
33, relevancy and hearsay

36, Hearsay - (100214, 100215)

40, Hearsay - (100304)

42, Hearsay - (100302)

48: Relevancy-hearsay, identifying information as to inmate (101131).

50 :Not proper exhibit, irrelevant, not for jury to decide

51: Relevancy, hearsay and identifying information.

52: Relevancy, hearsay and identifying information.

53: Relevancy, hearsay and identifying information.

54: Relevancy, hearsay and identifying information.

55: Relevancy, hearsay and identifying information.

56: Relevancy, hearsay and identifying information.

59: Relevancy, hearsay and identifying information

60: Relevancy, hearsay and identifying information

62: Relevancy, hearsay and identifying information.

63: Relevancy, hearsay and identifying information.

94:Relevancy, hearsay and identifying information.

68: Hearsay (200014)

70: Prejudice, relevancy, hearsay

72: Hearsay, relevancy

87: Hearsay (100302)

88: Hearsay (100304)

100: Not proper exhibit, irrelevant, not for jury to decide.(100190),

102: Prejudice out weights probative value, hearsay, untrustworthy.

Respectfully submitted,

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Attorney General of Texas

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ATTORNEYS FOR DEFENDANT

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the above and forgoing document has been sent via electronic notification, on February 18, 2010, to the following individual:

Jo Miller  
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/s/Sam Lively  
SAM LIVELY  
Assistant Attorney General